

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	: 10/015,958	Confirmation No.	6989
Applicant	: David George DeVorchik, et al.		
Filed	: 10/30/2001		
Title	: METHOD AND SYSTEM FOR CHAINING AND EXTENDING		
	: WIZARDS		
Group Art Unit	: 2192		
Examiner	: James D. Rutten		
Docket No.	: 164122.01/MFCP.88142		
Customer No.	: 45809		

VIA EFS – September 10, 2010

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

SUBSTANCE OF INTERVIEW

Applicant submits the following substance of interview in response to the Interview Summary mailed August 06, 2010. During the interview, Applicant told examiner Rutten that the Final Rejection mailed August 02, 2010 was improper at least because a new ground of rejection was made for the first time in the Final Rejection to reject amended claims 1, 7-11, and 14. MPEP 706.07(b) is clear—it is improper to render a Final rejection where the same invention is not claimed and a new ground of rejection is presented. Because applicant introduced amendments to claims 1, 7-11, and 14, the same invention is not claimed. Further, because the Office issued objections and a new ground for rejection for at least amended claims 8, 10, and 18, the finality is improper. Moreover, because the Board reversed the previous prior art rejection it is improper to rely on those same rejections in this Final Rejection. Applicant would like to discuss these issues with the Examiner's Supervisor prior to taking further action in this case.

It is believed that no fee is due, however, the Commissioner is hereby authorized to charge any amount required to Deposit Account No. 19-2112 referencing Attorney Docket Number 164122.01/MFCP.88142.

Respectfully submitted,

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